

(Ireland.)

A



B I L L

To provide for removing the Charge of the Constabulary Force in Ireland from the Counties, and for enlarging the Reserve Force; and to make further Provision for the Regulation and Disposition of the said Constabulary Force.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WH^{EREAS} an Act was passed in the Session of Parliament holden in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to consolidate the Laws relating to the Constabulary Force in Ireland;" and another Act was passed in the same Session, amending the said first-mentioned Act; and by the said Acts provision is made for establishing and regulating the Constabulary Force in Ireland; and it is by the said first-recited Act, amongst other things, enacted, that it shall and may be lawful to and for the Lord High Treasurer, or the Commissioners of his Majesty's Treasury, or any Three or more of them, for the time being, to order that any such sum or sums as he or they shall think proper shall from time to time be advanced and paid out of the produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, arising in Ireland, for the payment of the several salaries and remunerations and allowances, and the purchase of arms, accoutrements, horses, bridles, saddles, appointments, houses, outhouses, furniture and accommodations, payable under or proper for the use of the Constabulary Force to be appointed under the said Act, and also for all rents and taxes payable for and in respect of such houses, outhouses, and for repairing all such houses

Preamble :

6 & 7 W. 4,
c. 13.

6 & 7 W. 4,
c. 36.

Sect. 35.

650.

A

and

and outhouses from time to time, and for the forage of such horses, and for the expense of the Magistrates, Inspectors, Chief or other Constables or Sub-Constables, when they shall respectively be absent on duty from their residences under the authority of this Act, and for all other necessary and reasonable costs, charges and expenses incurred or to be incurred in the execution of this Act; and that One Moiety of all monies so advanced out of the produce of the Consolidated Fund for all or any the purposes of the said Act (except so much of the said advances as shall be for the salaries and expenses of the Inspector-general, his Deputies and Clerks, and of all Magistrates to be appointed as aforesaid, and of the Receiver for the said Constabulary Force, and of the Paymasters in the several counties), shall be raised by Grand Jury Presentment off each county, county of a city or county of a town to which the same shall be declared by the Lord Lieutenant or other Chief Governor or Governors of Ireland to relate, and in or for which such expenses shall be or shall have been incurred; and that the Inspector-general to be appointed under the said Act, shall, with the assistance of the Receiver, in sufficient time before each Assizes and Presenting Term, ascertain the amount of the monies chargeable under the provisions of the said Act on each county, county of a city, of a town, or any part of any county, and shall make out a certificate thereof under his hand, specifying the Force or Service in respect whereof such charge may have been incurred, and transmit the same, when approved and certified by the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors, to the Secretary of the Grand Jury for such county, county of a city, and county of a town, One Week before said Assizes and Presenting Term, who shall lay the same before the Grand Jury; and thereupon it shall be lawful for such Grand Jury, and they are thereby required, to make a presentment for the amount stated in such certificate or in any previous certificate, the amount whereof shall not have been already presented, to be raised from off the county at large, county of a city, or county of a town, or city and county respectively, in the same manner as any presentment for Constables may by law be now raised therefrom, and that it shall not be lawful for the Court at any Assizes or Presenting Term to fiat any presentment for raising any other money until such presentment for such expenses be first made and allowed; and whenever the amount stated in such certificate shall be levied, the same shall be paid to such bank or person, and in such manner as the Lords of the Treasury or the Commissioners of the Treasury, or any Three or more of them, shall from time to time think fit to direct and appoint; and thereupon, but not before, as to all sums mentioned in such certificate as aforesaid, such county shall be deemed to be discharged :

And

Sect. 35.

Sect. 37.

And whereas by an Act passed in the Session holden in the second and third years of the reign of Her present Majesty, intituled, "An Act for the better Regulation of the Constabulary Force in Ireland," it is, amongst other things, enacted, that in addition to the Chief and other Constables and Sub-Constables whom the Lord Lieutenant or other Chief Governor or Governors of Ireland may be authorized to appoint under the said recited Acts, in and for the several counties, counties of cities and counties of towns, and in and for the several baronies, half-baronies and other divisions of baronies in counties at large throughout Ireland, it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors to appoint Two Chief Constables (to be styled Sub-Inspectors as thereafter mentioned), Four Head Constables and any number not exceeding in the whole Two hundred Constables and Sub-Constables, who shall constitute a Reserve Force to be kept in a depôt, to be for that purpose provided in or near the city of Dublin, and employed as occasion may require, in aid of and in conjunction with the said Constabulary Force established in and for the said several counties and places throughout Ireland; and that all and every the provisions of the said recited Acts and that Act, with respect to the qualification, appointment, dismissal, resignation, pay, superannuation allowances, deductions for and contributions to the Police Superannuation Fund, and to the Police Reward Fund, duties, liabilities, disabilities, forfeitures and penalties of or attaching upon the officers and men of the said Constabulary Force respectively, shall apply and extend to the officers and men forming part of the said Reserve Force, except so far as such provisions may be altered by that Act, or other provisions made in lieu thereof, and that the said Reserve Force shall be subject to the like regulations, direction and control as the said Constabulary Force, except that such Reserve Force shall not be attached to any particular county or place, save temporarily by virtue of such order as is thereafter mentioned; and that it shall and may be lawful for the Inspector-general of the said Constabulary Force, subject to the direction and control of the said Lord Lieutenant or other Chief Governor or Governors, from time to time as may be expedient, to order and direct that the whole or any portion of the said Reserve Force, or the whole or any portion of the said Constabulary Force from time to time placed in the said depôt as thereinbefore mentioned, shall go and repair to such place or places in any county or counties, county of a city or of a town, or town and liberties in Ireland, as shall be mentioned in such order, and shall remain there for such length of time, or remove to or remain at any other place or places in the same or any other county, city or town, for such time or times, and shall return to the said depôt in or near Dublin, at such time or times respectively as shall be mentioned in or directed by such order, or by any other order or orders which may from time to time be made by such Inspector-general, subject to

2 & 3 Vict.
c. 75, sect. 2.

Sect. 5.

Sect. 6.

the like direction and control; and that the officers and men constituting such Reserve Force, or belonging to the said Constabulary Force, when so removed, shall have the same rights, powers and authorities, and be subject to the same rules, regulations and orders, and be in all respects in the same situation in the county or other districts or places to which they shall be so removed, as if they had been appointed to and formed part of the Constabulary Force established in and for such county or place; and that it shall be lawful to and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to order that all such sum or sums of money as they shall think necessary, shall from time to time be advanced and paid out of the produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, arising in Ireland, for the payment of the officers and men composing the said Reserved Force to be established under that Act, and for the salaries of the Paymaster and Surgeon to be attached to the said *dépôt* as thereinbefore provided, and for the purchase of arms, accoutrements, horses, bridles, saddles and all other appointments proper for the use of the said Reserved Force, and also for the purchase or rent and repairs of a proper house or barrack to be provided for such *dépôt*, and for the forage of horses, and for the furniture and all other accommodations necessary to the said *dépôt*, and for all other costs and charges to be incurred in the execution of that Act; and that One Moiety of all monies so advanced out of the Consolidated Fund for the payment of the officers and men composing the said Reserved Force, and of all other costs and expenses (save as hereinafter mentioned) to be incurred in respect of such officers and men during such time as they shall remain in any county, county of a city or county of a town to which they may be removed by virtue of any such order of the said Inspector-general as aforesaid, shall be defrayed by such county, county of a city or county of a town, and shall be raised by grand jury presentment off such county, county of a city or county of a town, together with and in addition to the monies to be raised off such county, county of a city or town, under the said recited Acts, on account of the Constabulary Force established therein; and the Inspector-general of the said Constabulary Force shall have regard thereto in making out the certificate, which he is by the said Acts directed to prepare, for the purpose of ascertaining the monies chargeable upon each county, county of a city or town, or part of a county, under the said recited Acts, and shall include such monies in such certificate:

And whereas it is expedient that the respective counties of Ireland should be relieved, save as hereinafter mentioned, from all and every part of the charges and expenses of the said Constabulary Force and Reserve Force, and that the whole charge of the same, save as hereinafter provided, should be placed upon and borne by the Consolidated

Consolidated Fund of the United Kingdom; and also that an addition should be made to the said Reserve Force, as hereinafter mentioned;

BE it therefore Enacted, by The QUEEN's most Excellent
 5 MAJESTY, by and with the Advice and Consent of the Lords
 Spiritual and Temporal, and Commons, in this present Parliament
 assembled, and by the Authority of the same, THAT from and after
 the passing of this Act, so much of the said recited Acts, or any of
 10 them, or of any other Act or Acts as provides that One Moiety of the
 monies advanced out of the Consolidated Fund for the payment of
 any of the costs and expenses of the said Constabulary Force or the
 said Reserve Force, or of any part thereof, shall be defrayed by any
 county, county of a city, or county of a town, barony, half-barony or
 place in Ireland, or by presentment of any Grand Jury in Ireland, or as
 15 provides that any part of the costs, charges or expenses of the said Constabulary Force or the said Reserve Force shall be borne or paid by or
 raised or levied from any such county, county of a city, county of a town,
 barony, half-barony or place, save and except as hereinafter mentioned,
 shall be and the same is hereby repealed, save and except as to any
 20 matter or thing heretofore done, or any sum or sums of money heretofore
 become due and payable and now remaining in arrear and unpaid.

1.
 So much of
 recited Acts
 as provides
 that One
 Moiety or any
 part of the
 expense of the
 Constabulary
 or Reserve
 Force shall be
 defrayed by
 any county,
 barony, &c.
 in Ireland, or
 by Grand
 Jury Present-
 ment, re-
 pealed.

And be it Enacted, That from and after the passing of this Act, all
 monies duly payable, and all necessary and reasonable costs, charges
 and expenses for and in respect of the said Constabulary Force and
 25 the said Reserve Force respectively, under the provisions of the said
 recited Acts or any of them, or any Act amending the same, or of
 this Act, and also for or in respect of the addition to the said
 Reserved Force hereinafter provided, shall, save as hereinafter men-
 tioned, be charged upon and paid from time to time out of the
 30 produce of the Consolidated Fund of the United Kingdom of Great
 Britain and Ireland; and it shall be lawful for the Commissioners
 of Her Majesty's Treasury, or any Three or more of them, to order
 that all such sum or sums of money as they shall think necessary for
 the purposes aforesaid shall from time to time be advanced and paid
 35 out of the produce of the Consolidated Fund of the United Kingdom
 of Great Britain and Ireland arising in Ireland.

2.
 The whole
 cost of the
 Constabulary
 Force and the
 Reserve
 Force, save
 as herein
 mentioned,
 shall be paid
 out of the
 Consolidated
 Fund.

AND whereas by the said first-recited Act it is amongst other
 things enacted, that it shall and may be lawful to and for the Lord
 Lieutenant or other Chief Governor or Governors of Ireland, by the
 40 advice of the Privy Council of Ireland, to declare by proclamation,
 that any county, county of a city or county of a town in Ireland, or
 any barony or baronies, half-barony or half-baronies in any county at
 large, or any district of less extent than any barony or half-barony

3.
 6 W. 4, c. 13
 s. 13.
 Power to
 Lord Lieu-
 tenant to
 appoint any
 number of
 additional
 Constables for
 any part of
 Ireland de-

classified by
Proclamation
to be in a dis-
turbed state.

to be thereto specified, is or are in a state of disturbance, and requires or require an additional Establishment of Police ; and thereupon it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of Ireland, to appoint such and so many Chief Constables, Constables and Sub-Constables as he or they shall think proper, not exceeding One such Chief Constable, Two Head Constables, and Fifty such Constables or Sub-Constables for any One barony or half-barony, or for any county of a city or county of a town or district of less extent than any barony or half-barony which may have been so declared to be in a state of disturbance : AND whereas it is expedient that in any such case as last aforesaid the said restriction as to the number of such Chief and other Constables so to be appointed should be removed ; BE it therefore Enacted, That in any such case as in the said recited provision mentioned, it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of Ireland, to appoint, or cause to be placed, for or in any barony or half-barony, or for or in any county of a city or county of a town or district of less extent than any barony or half-barony which may have been so declared to be in a state of disturbance, and also (if he or they shall so think fit), for or in any barony or half-barony, or county of a city or county of a town or district of less extent than any barony or half-barony adjoining to a barony or half-barony or county of a city or county of a town or district which may have been so declared to be in a state of disturbance, such and so many additional Sub-Inspectors, Head Constables, Constables and Sub-Constables, exceeding the numbers aforesaid, as he or they shall think proper, and to remove such Sub-Inspectors, Head Constables, Constables and Sub-Constables, or any of them, from time to time.

4.
2 & 3 Vict.
c. 73.
Lord Lie-
utenant em-
powered to
increase the
Reserve
Force.

AND whereas it is expedient that the said Reserve Constabulary Force provided and appointed under the said recited Act of the second and third years of the reign of Her present Majesty should be increased in number ; BE it therefore Enacted, That in addition to the number of Sub-Inspectors, Head Constables, Constables and Sub-Constables, which by the said last-recited Act the said Lord Lieutenant or other Chief Governor or Governors is or are empowered to appoint as and for a Reserve Force, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to appoint Two additional Sub-Inspectors, Four additional Head Constables and any number not exceeding Two hundred additional Constables and Sub-Constables, who shall constitute and shall be deemed to be a part of the said Reserve Force, and shall be subject to all and every the provisions and regulations applicable to the said Reserve Force under the said Act of the second and third years of the reign of Her present Majesty, or any Act amending the same, save so far as such provisions may be altered by this Act.

Provided

Provided always, and be it Enacted, That in any case in which, under the provisions of the said first-recited Act, Seven or more Magistrates of any county at large, at any General or Special Sessions held as therein mentioned, in manner therein set forth, shall certify or

5 shall have certified to the said Lord Lieutenant, or other Chief Governor or Governors, that the number of Chief of other Constables or Sub-Constables appointed for any such county is inadequate to the due execution of the law within the same, and the said Lord Lieutenant, or other Chief Governor or Governors, shall by reason thereof appoint or shall have appointed a further number of Sub-

10 Inspectors, Head Constables, Constables or Sub-Constables in or for such county as so certified to be necessary, or in any case in which any part of the Reserve Force aforesaid shall have been or shall be removed to or employed in any county, county of a city or

15 county of a town, barony, half barony or district, by virtue of any such order of the Inspector-general as aforesaid; or in case the number of the Constabulary Force in or for any barony, half barony, county of a city, county of a town or district of less extent than any barony or half barony, shall be increased by the Lord Lieutenant or

20 other Chief Governor or Governors stationing or appointing therein or therefor additional Sub-Inspectors, Head Constables, Constables or Sub-Constables as aforesaid or otherwise, then and in any of such cases, nothing in this Act shall extend or be construed to extend to relieve any such county, county of a city or county of

25 a town, barony, half barony or district from the payment of One moiety of the costs and expenses of such further or augmented number of the Constabulary Force or of such Reserve Force as aforesaid, but in either or any of such cases such moiety shall be payable and shall be raised in like manner as a moiety of the expenses of

30 such further number of the Constabulary Force, or as any such part of the Reserve Force, while remaining in any county, county of a city or county of a town to which they may be removed by virtue of such order as hereinbefore recited is now payable, or may now be raised under the said recited Acts respectively, or either of them.

5-
Nothing herein contained to relieve counties from the moiety of the cost of a further Constabulary Force applied for by Magistrates, or of the Reserve Force when employed therein.

6 & 7 Will. 4,
c. 13, s. 12.

35 And be it Enacted, That from and after the passing of this Act, the officers heretofore, under the provisions of the said Act of the second and third years of Her present Majesty's reign, styled "Provincial Inspectors," shall henceforth be styled "Assistant Deputy Inspectors General."

6.
Designation of "Provincial Inspectors" changed. 2 & 3 Vict. c. 75, s. 11.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

7-
Act may be amended, &c. this Session.